

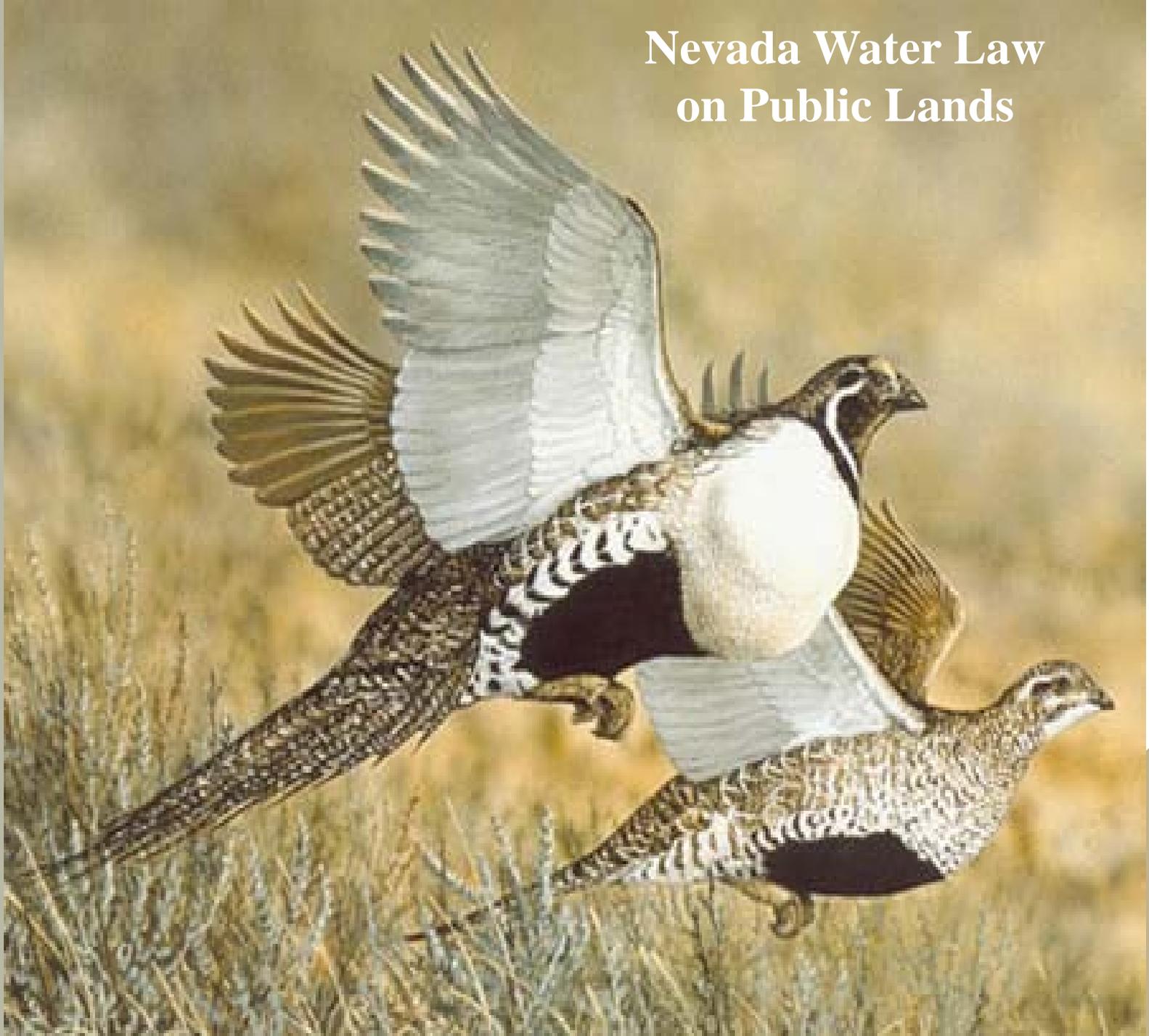
**Division of
WATER RESOURCES**

Jason King, P.E.
State Engineer

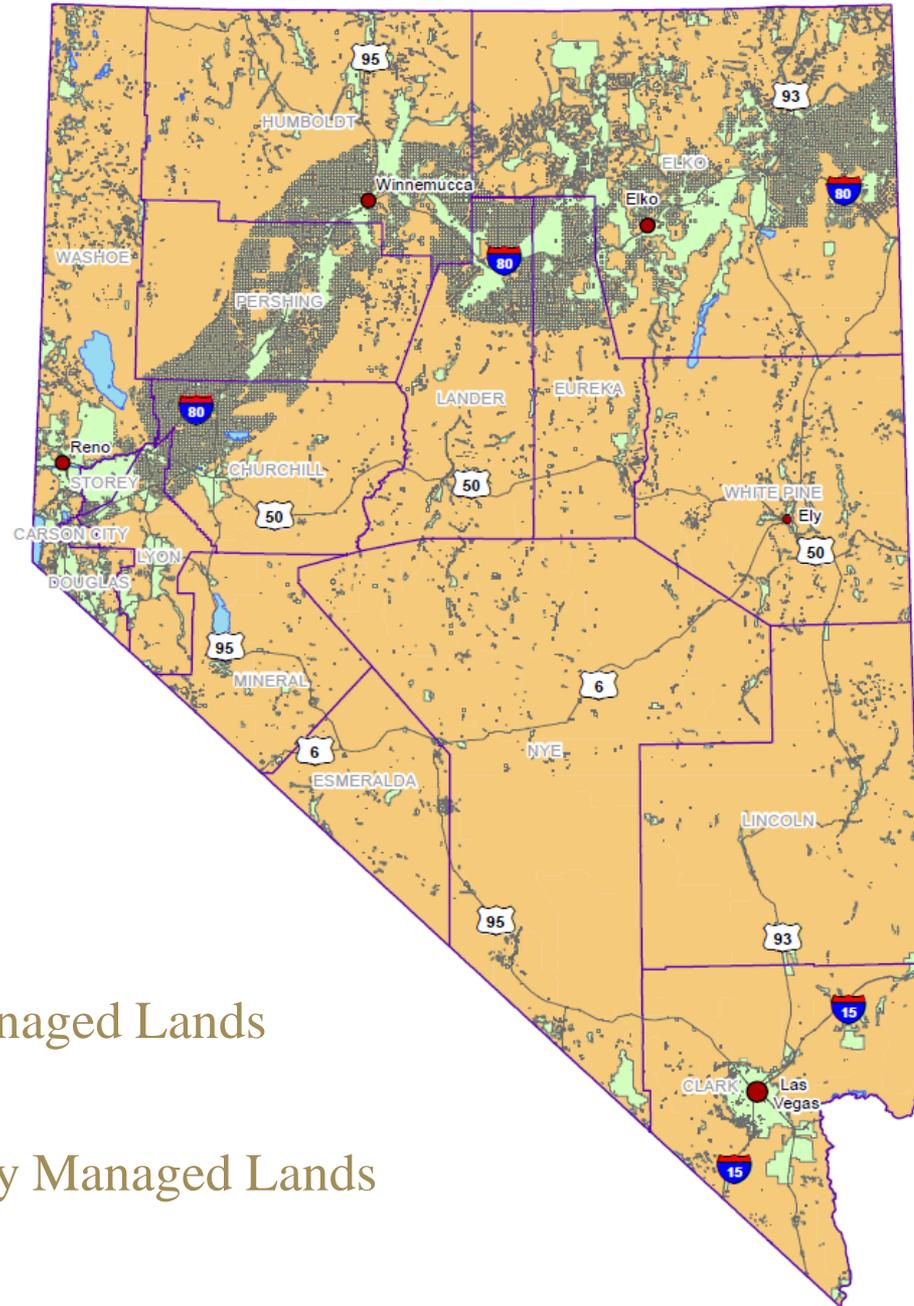
Sagebrush
Ecosystem
Council

April 8, 2014

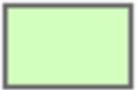
Nevada Water Law on Public Lands



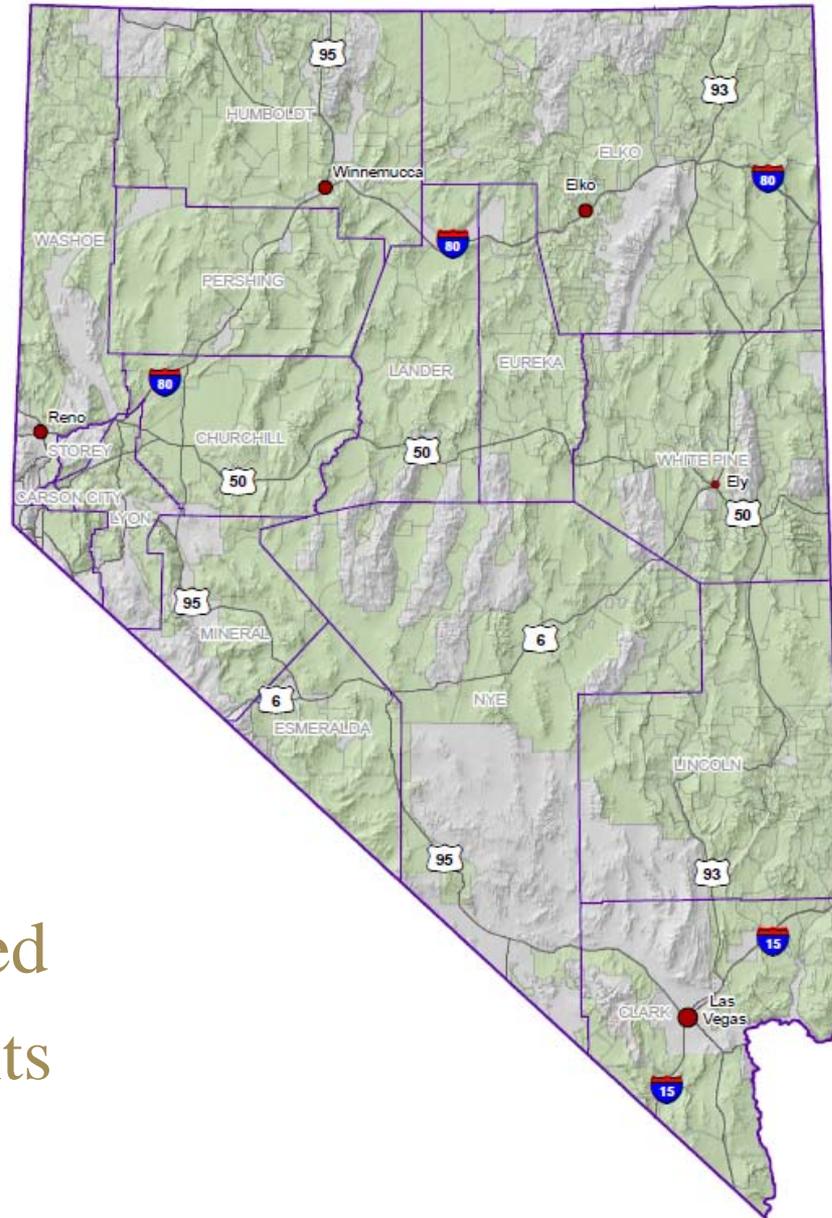
DEPARTMENT OF
**CONSERVATION &
NATURAL RESOURCES**



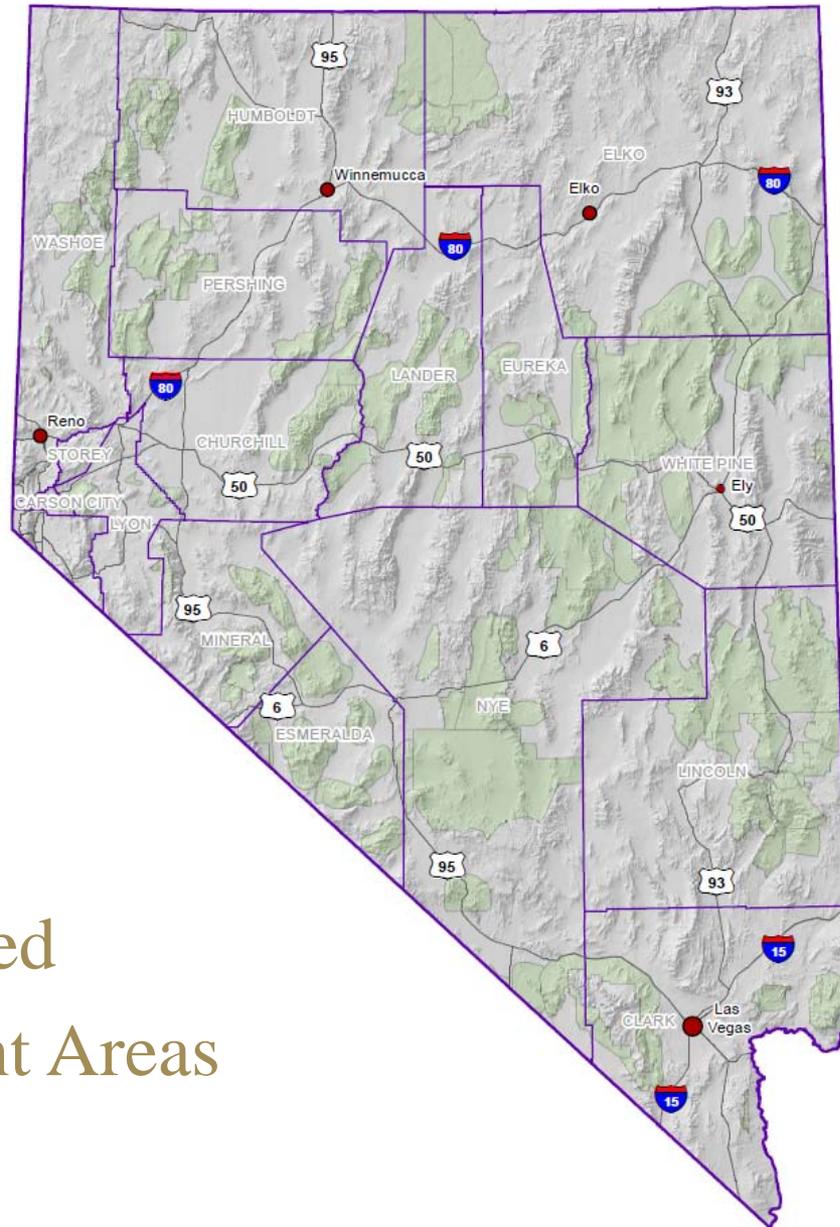
Federally Managed Lands



Non-Federally Managed Lands



BLM Administered Grazing Allotments

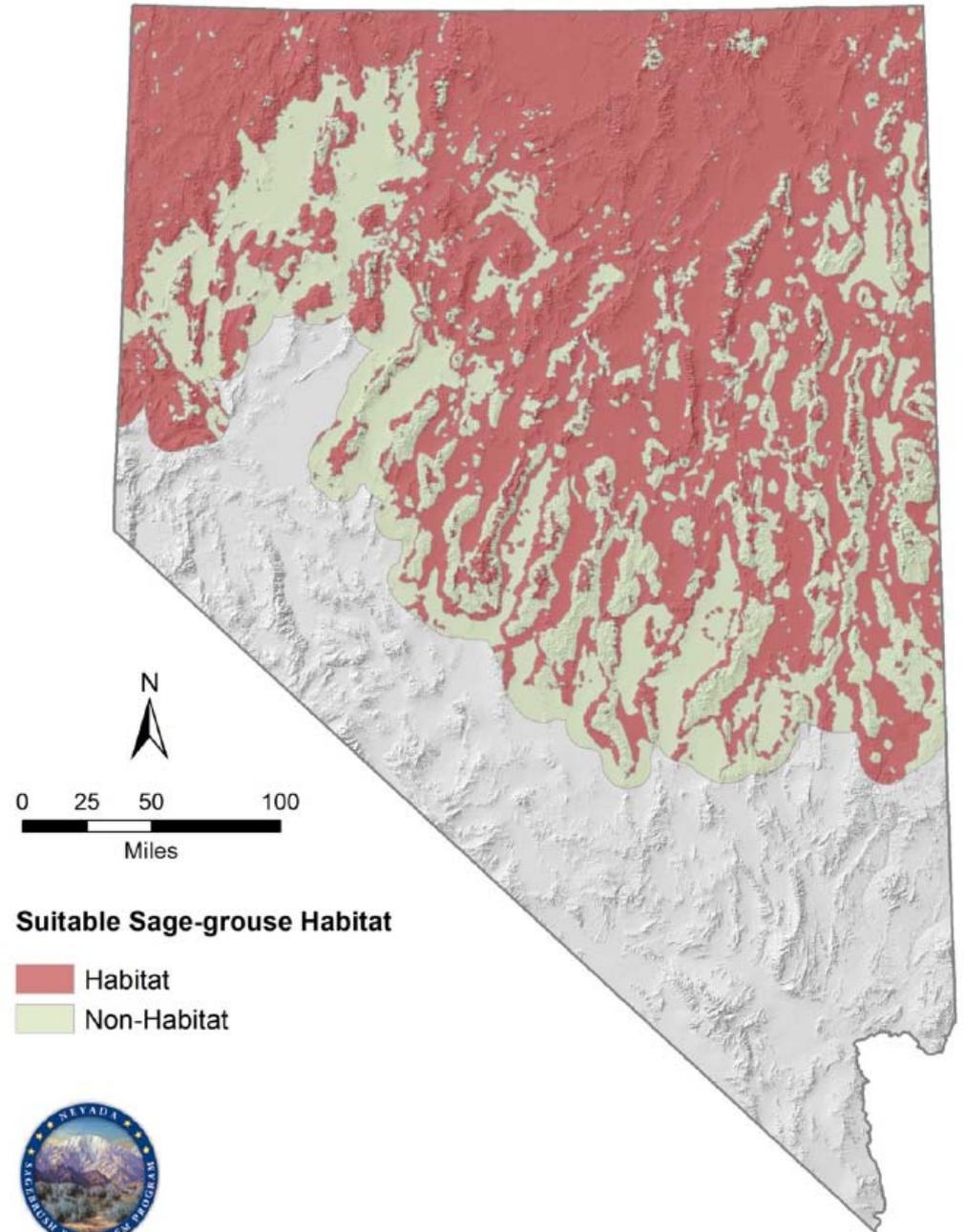


BLM Administered Herd Management Areas



DRAFT Suitable Habitat for Greater Sage-grouse in Nevada (February 2014)

Sage-Grouse Management Areas





Water Rights on Public Lands

Stock water

- Our office shall not issue a permit unless:
 - The applicant is legally entitled to place the livestock on the lands, and
 - Owns, leases or otherwise possesses a legal or proprietary interest in the livestock.



Water Rights on Public Lands

Every water right permit is issued with the following terms:

- *This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.*
- *The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.*



Water Rights on Public Lands

Stock Water Battle:

- Can our office force BLM to allow a range user to use the full amount of his water right regardless of AUM permitting decision?
- Can the BLM fence/protect a water source such that a range user can't water his cattle?



Water Rights on Public Lands

Wildlife

- Issued permits to BLM and USFS for the watering of wild horses and wild burros in Herd Management Areas (w/a few outside).
- Definition in water law:
 - “Wildlife purposes” includes the watering of wildlife and the establishment and maintenance of wetlands, fisheries and other wildlife habitats.



Water Rights on Public Lands

Guzzlers

- Do not require a water rights permit.



Water Rights on Public Lands

Water rights to protect Sage Grouse Habitat?

- Issue permits for green strips to attenuate the spread of rangeland wildfires?
- **NRS 533.436** - A person may apply for a temporary permit to appropriate water to establish vegetative cover that is resistant to fire in an area that has been burned by a wildfire or to prevent or reduce the impact of a wildfire in an area.



Water Rights on Public Lands

Water rights for Sage Grouse habitat?

- Who would be the applicant?
 - Sagebrush Ecosystem Council
 - BLM
- Is there a need for a statute change?

Questions?

